



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 25 2018

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tamara Lundgren
President and Chief Executive Officer
Schnitzer Steel Industries, Inc.
299 SW Clay Street
Suite 350
Portland, Oregon 97201

Re: Finding of Violation
Schnitzer Steel Industries, Inc.
Attleboro, Massachusetts
Auburn, Maine
Bend, Oregon
Concord, New Hampshire
Eugene, Oregon
Manchester, New Hampshire
Portland, Maine
Portland, Oregon
Tacoma, Washington
White City, Oregon
Worcester, Massachusetts
Woodinville, Washington

Dear Ms. Lundgren:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Schnitzer Steel Industries, Inc. (you) under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). We find that you have violated the Clean Air Act (CAA), 42 U.S.C. § 7401 *et seq.*, specifically the regulations for the Protection of Stratospheric Ozone at 40 C.F.R. Part 82, Subpart F, at a number of your facilities in Oregon, Maine, Massachusetts, New Hampshire, and Washington. EPA promulgated these regulations as required by Section 608 of the CAA, 42 U.S.C. § 7671g.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of

violation, any efforts you have taken to comply, and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

Please plan for your technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contacts in this matter are Natalie Topinka and Scott Connolly. You may contact Ms. Topinka at (312) 886-3853 or topinka.natalie@epa.gov, or Mr. Connolly at (312) 886-1493 or connolly.scott@epa.gov to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



Edward Nam
Director
Air and Radiation Division

Enclosure

cc: Laurel J. Carlson, Branch Chief, Bureau of Air and Waste, MassDEP
Even Mulholland, Administrator, Air Resources Division, NHDES
Kurt Tidd, Compliance Manager, Division of Licensing and Compliance, Maine DEP
Mark Bailey, Eastern Region Air Quality Manager, Oregon DEQ
Claudia Davis, Western Region Air Quality Manager, Oregon DEQ
Michael Orman, North Western Region Air Quality Manager, Oregon DEQ
Rick Hess, Inspection Manager, Puget Sound Clean Air Agency
Steve Rapp, Chief Air Technical Unit, US EPA Region 1
Katie McClintock, Manager, Air Enforcement and Data Management US EPA Region 10
Greg Fried, Chief, Stationary Source Enforcement Branch, OECA, EPA HQ
Scott Sloan, Schnitzer Steel Industries, Inc.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Schnitzer Steel Industries, Inc.
Portland, Oregon

Proceedings Pursuant to
the Clean Air Act,
42 U.S.C. §§ 7401 et seq.

FINDING OF VIOLATION

EPA-5-18-COE-01

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) finds that Schnitzer Steel Industries, Inc. (Schnitzer) is violating Section 608 of the Clean Air Act (CAA), 42 U.S.C. § 7671g. Specifically, Schnitzer is failing to reduce emissions of ozone depleting substances as required by EPA's regulations for the Protection of Stratospheric Ozone, Recycling and Emissions Reduction, found in 40 C.F.R. Part 82, Subpart F.

STATUTORY AND REGULATORY AUTHORITY

1. In accordance with Section 608 of the CAA, 42 U.S.C. § 7671g, EPA promulgated regulations at 40 C.F.R. Part 82, Subpart F, applicable to recycling and emissions reductions of ozone-depleting substances. As specified at 40 C.F.R. § 82.150(a), the purpose of the regulations is to reduce emissions of class I and class II refrigerants and their non-exempt substitutes to the lowest achievable level during the service, maintenance, repair, and disposal of appliances.
2. Under 40 C.F.R. § 82.152, an appliance is any device which contains and uses a class I or class II substance or substitute as a refrigerant and which is used for household or commercial purposes, including any air conditioner, motor vehicle air conditioner (MVAC), refrigerator, chiller, or freezer. For a system with multiple circuits, each independent circuit is considered a separate appliance.
3. Under 40 C.F.R. § 82.152, an MVAC is an appliance that is a motor vehicle air conditioner as defined in 40 C.F.R. § 82.32(d), which states that MVAC “means mechanical vapor compression refrigeration equipment used to cool the driver's or passenger's compartment of any motor vehicle. This definition is not intended to encompass the hermetically sealed refrigeration systems used on motor vehicles for refrigerated cargo and the air conditioning systems on passenger buses using HCFC-22 refrigerant.”
4. Under 40 C.F.R. § 82.152, an MVAC-like appliance is a mechanical vapor compression, open-drive compressor appliance with a full charge of 20 pounds or less of refrigerant

used to cool the driver's or passenger's compartment of off-road vehicles or equipment. This includes, but is not limited to, the air-conditioning equipment found on agricultural or construction vehicles. This definition is not intended to cover appliances using R-22 refrigerant.

5. Under 40 C.F.R. § 82.152, a small appliance is any appliance that is fully manufactured, charged, and hermetically sealed in a factory with five (5) pounds or less of refrigerant, including, but not limited to, refrigerators and freezers (designed for home, commercial, or consumer use), medical or industrial research refrigeration equipment, room air conditioners (including window air conditioners, portable air conditioners, and packaged terminal air heat pumps), dehumidifiers, under-the-counter ice makers, vending machines, and drinking water coolers.
6. Under 40 C.F.R. § 82.154(a), no person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the environment any refrigerant or substitute from such appliances, with certain exceptions not relevant to this matter.
7. Under 40 C.F.R. § 82.155(b), the final processor—i.e., persons who take the final step in the disposal process (including but not limited to scrap recyclers and landfill operators) of a small appliance, MVAC, or MVAC-like appliance—must either:
 - (1) Recover any remaining refrigerant from the appliance in accordance with 40 C.F.R. § 82.155 (a); or
 - (2) Verify using a signed statement or a contract that all refrigerant that had not leaked previously has been recovered from the appliance or shipment of appliances in accordance with 40 C.F.R. § 82.155(a). If using a signed statement, it must include the name and address of the person who recovered the refrigerant and the date the refrigerant was recovered. If using a signed contract between the supplier and the final processor, it must either state that the supplier will recover any remaining refrigerant from the appliance or shipment of appliances in accordance with 40 C.F.R. § 82.155(a) prior to delivery or verify that the refrigerant had been properly recovered prior to receipt by the supplier.¹
8. Under 40 C.F.R. § 82.155(b)(2)(i) it is violation of 40 C.F.R. Part 82, Subpart F to accept a signed statement or contract if the person receiving the statement or contract knew or had reason to know that the signed statement or contract is false.
9. Under 40 C.F.R. § 82.155(b)(2)(iii) if all refrigerant has leaked out of the appliance, the final processor must obtain a signed statement that all the refrigerant in the appliance had leaked out prior to delivery to the final processor and recovery is not possible. “Leaked

¹ In the Preamble to the original rule and in revisions to 40 C.F.R. Part 82 Subpart F, EPA described under what circumstances a contract was appropriate and when a disposer should use a signed statement: “EPA notes here that a contract is appropriate for businesses to streamline transactions in cases where they maintain long-standing business relationships. A contract would be entered into prior to the transaction, such as during the set-up of a customer account, not simultaneously with the transaction. A signed statement is more appropriate for one-off transactions between the supplier and the final processor.” 81 Fed. Reg. 82,272 at 82,309 (Nov. 18, 2016).

out” in this context means those situations in which the refrigerant has escaped because of system failures, accidents or other unavoidable occurrences not caused by a person’s negligence or deliberate acts such as cutting refrigerant lines.

FACTUAL BACKGROUND

10. In many circumstances, when refrigerant recovery equipment is used on a small appliance, that process leaves easily recognizable signs indicative that proper recovery has occurred, including: for any appliance with visible refrigerant lines, puncture marks on refrigerant lines; for refrigerators, air conditioners and some freezers with refrigerant lines hidden behind metal, plastic, or cardboard panels, those coverings will be removed and puncture marks will be visible.
11. Schnitzer owns and/or operates scrap metal recycling facilities (Facilities) at the following locations:
 - a. 136 Bacon Street, Attleboro, Massachusetts (Attleboro Facility);
 - b. 522 Washington Street, Auburn, Maine (Auburn Facility);
 - c. 110 SE 5th Street, Bend, Oregon (Bend Facility);
 - d. 25 Sandquist Street, Concord, New Hampshire (Concord Facility);
 - e. 111 State Hwy 99 N, Eugene, Oregon (Eugene Facility);
 - f. 200 Allard Drive, Manchester, New Hampshire (Manchester Facility);
 - g. 568 Riverside Street, Portland, Maine (Portland ME Facility);
 - h. 12005 North Burgard Way C, Portland, Oregon (Portland OR Facility);
 - i. 1902 Marine View Drive, Tacoma, Washington (Tacoma Facility);
 - j. 2625 Avenue G, White City, Oregon (White City Facility);
 - k. 3711 63rd Avenue SE, Woodinville, Washington (Woodinville Facility); and
 - l. 20 Nipnapp Trail, Worcester, Massachusetts, (Worcester Facility).
12. At its Facilities, Schnitzer accepts for recycling and disposal, among other things, small appliances and MVACs that contain or once contained refrigerant.
13. EPA inspected the Schnitzer Facilities on the dates listed:
 - a. The Attleboro Facility was inspected on July 28, 2017;
 - b. The Auburn Facility was inspected on July 27, 2017;
 - c. The Bend Facility was inspected on November 3, 2017;
 - d. The Concord Facility was inspected on July 28, 2017;
 - e. The Eugene Facility was inspected on November 2, 2017;
 - f. The Manchester Facility was inspected on July 28, 2017;
 - g. The Portland ME Facility was inspected on July 27, 2017;
 - h. The Portland OR Facility was inspected on November 2, 2017;
 - i. The Tacoma Facility was inspected on November 1, 2017;
 - j. The White City Facility was inspected on November 3, 2017;
 - k. The Woodinville Facility was inspected on November 1, 2017; and
 - l. The Worcester Facility was inspected on July 26, 2017.

FINDINGS and VIOLATIONS

Attleboro Facility

14. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Attleboro Facility.
15. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Attleboro Facility only if the refrigerants are no longer in the units.
16. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Attleboro Facility, to sign a Hazardous Materials Removal Compliance Contract (HMCC).²
17. At the time of the inspection, EPA inspectors observed refrigerators clearly visible on a pile of metal to be recycled at the Attleboro Facility from which refrigerant had not been recovered, but that had cut refrigeration lines.
18. At the Attleboro Facility, Schnitzer accepts the HMCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
19. By accepting the HMCC as a signed statement or contract to verify recovery of refrigerant from suppliers at the Attleboro Facility for appliances from which refrigerant had not been recovered, but that had cut refrigeration lines clearly visible or still contained refrigerant, Schnitzer accepts a signed statement or contract that it knows or has reason to know is false.
20. By accepting a signed statement or contract that it knows or has reason to know is false, Schnitzer violated 40 C.F.R. § 82.155(b)(i) at the Attleboro Facility.
21. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Attleboro Facility.

² Different facilities described throughout this FOV titled the contract differently, including: "Hazardous Materials Removal Compliance Contract," abbreviated within the document as "HMCC;" "Hazardous Materials Removal Compliance Contract," abbreviated within the document as "HMRCC;" and "Hazardous Substance Removal Compliance Contract," abbreviated within the document as "HSRCC;" In this FOV, EPA references each contract the same way each facility does.

Auburn Facility

22. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Auburn Facility.
23. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Auburn facility, to sign a HMCC.
24. At the Auburn Facility, Schnitzer accepts the HMCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
25. At the Auburn Facility, EPA inspectors observed at least one appliance from which the refrigerant had not been recovered.
26. By accepting the HMCC as a signed statement or contract to verify recovery of refrigerant from suppliers at the Auburn Facility for appliances from which refrigerant had not been recovered, Schnitzer accepts a signed statement or contract that it knows or has reason to know is false.
27. By failing to recover refrigerants from appliances during scrap recycling, Schnitzer violated 40 C.F.R. § 82.155(b)(1) at the Auburn Facility.
28. By failing to recover refrigerant from intact appliances during scrap recycling, Schnitzer vented or otherwise released into the environment the refrigerant from such appliances, and violated 40 C.F.R § 82.154(a) at the Auburn Facility.
29. By accepting a signed statement or contract that it knows or has reason to know is false, Schnitzer violated 40 C.F.R § 82.155(b)(i) at the Auburn Facility.
30. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Auburn Facility.

Bend Facility

31. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Bend Facility.
32. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Bend Facility only if the refrigerants are no longer in the units.

33. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Bend Facility, to sign a Hazardous Materials Removal Compliance Contact (HMRCC).
34. At the time of the inspection, EPA inspectors observed appliances clearly visible on a pile of metal to be recycled at the Bend Facility from which refrigerant had not been recovered, but that had cut refrigeration lines.
35. At the Bend Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
36. By accepting the HMRCC as a signed statement or contract to verify recovery of refrigerant from suppliers at the Bend Facility for appliances from which refrigerant had not been recovered, but that had cut refrigeration lines clearly visible, Schnitzer accepts a signed statement or contract that it knows or has reason to know is false.
37. By accepting a signed statement or contract that it knows or has reason to know is false, Schnitzer violated 40 C.F.R § 82.155(b)(i) at the Bend Facility.
38. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Bend Facility.

Concord Facility

39. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Concord Facility.
40. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Concord Facility only if the refrigerants are no longer in the units and that suppliers must demonstrate this by cutting the refrigerant lines or removing the compressors.
41. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Concord Facility, to sign a HMRCC.
42. At the Concord Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
43. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the

refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Concord Facility.

Eugene Facility

44. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Eugene Facility.
45. At the time of the inspection, Schnitzer accepted small appliances and MVACs containing refrigerant at its Eugene Facility. For these items, Schnitzer contracts out the services of a refrigerant recovery technician to recover refrigerant.
46. At the time of the inspection, Schnitzer also accepted vehicles and small appliances, at its Eugene Facility, that no longer contain refrigerants.
47. At the time of the inspection, Schnitzer required certain suppliers (generally those that did not engage in repeat business) delivering small appliances no longer containing refrigerant to the Eugene Facility to sign a scale ticket which states that the material delivered does not contain any hazardous substances.
48. The scale ticket at the Eugene Facility did not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
49. At the time of the inspection, Schnitzer required certain other suppliers (generally those that engaged in repeat business) delivering small appliances no longer containing refrigerant to the Eugene Facility to sign both a scale ticket and a Hazardous Substance Removal Compliance Contract (HSRCC).
50. At the Eugene Facility, Schnitzer accepts the scale ticket or the HSRCC as a signed statement to verify that refrigerants have been recovered, but neither document contains the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
51. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Eugene Facility.

Manchester Facility

52. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Manchester Facility.
53. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Manchester Facility only if the refrigerants are no longer in the units.

54. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Manchester Facility, to sign a HMRCC.
55. At the Manchester Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
56. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Manchester Facility.

Portland ME Facility

57. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Portland ME Facility.
58. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Portland ME Facility only if the refrigerants are no longer in the units.
59. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Portland ME Facility, to sign a HMCC.
60. At the Portland ME Facility, Schnitzer accepts the HMCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
61. At the Portland ME Facility, EPA inspectors observed at least one appliance that Schnitzer employees had accepted from a supplier, but from which the refrigerant had not been recovered.
62. By failing to recover refrigerants from appliances during scrap recycling, Schnitzer vented or otherwise released into the environment the refrigerant from such appliances, and violated 40 C.F.R. § 82.155(b)(1) at the Portland ME Facility.
63. By venting or otherwise releasing refrigerant from appliances, Schnitzer violated 40 C.F.R. § 82.154(a) at the Portland ME Facility.
64. By accepting the HMCC as a signed statement or contract to verify recovery of refrigerant from suppliers at the Portland ME Facility for appliances from which refrigerant had not been recovered, Schnitzer accepts a signed statement or contract that it knows or has reason to know is false.

65. By accepting a signed statement or contract that it knows or has reason to know is false, Schnitzer violated 40 C.F.R § 82.155(b)(2)(i) at the Portland ME Facility.
66. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Portland ME Facility.

Portland OR Facility

67. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Portland OR Facility.
68. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Portland OR Facility only if the refrigerants are no longer in the units and that suppliers must demonstrate this by cutting the refrigerant lines or removing the compressors.
69. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Portland OR Facility, to sign a HMRCC.
70. At the Portland OR Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
71. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Portland OR Facility.

Tacoma Facility

72. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its Tacoma Facility.
73. At the time of the inspection, Schnitzer claimed to accept vehicles and small appliances at its Tacoma Facility only if the refrigerants are no longer in the units.
74. At the time of the inspection, Schnitzer required all suppliers, including peddlers and one time suppliers of its Tacoma Facility, to sign a HMRCC.
75. At the Tacoma Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.

76. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Tacoma Facility.

White City Facility

77. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances or MVACs at its White City Facility.
78. At the time of the inspection, Schnitzer accepted small appliances and MVACs containing refrigerant at its White City Facility. For these items, Schnitzer contracts out the services of a refrigerant recovery technician to recover refrigerant. Small appliances are recovered from the White City Facility by the contractor and vehicle refrigerants are recovered on site.
79. At the time of the inspection, Schnitzer also accepted vehicles and small appliances that no longer contain refrigerants at its White City Facility.
80. At the White City Facility, Schnitzer will not pay suppliers for small appliances that contain refrigerants, but will if the supplier demonstrates that the small appliances no longer contain refrigerants and the supplier has signed the HMRCC.
81. At the White City Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
82. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the White City Facility.

Woodinville Facility

83. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances at its Woodinville Facility.
84. At the time of the inspection, Schnitzer claimed to accept small appliances at its Woodinville Facility only if the refrigerants are no longer in the units.
85. At the time of the inspection, Schnitzer claimed to accept and recover refrigerants from MVACs at the Woodinville Facility.

86. At the time of the inspection, Schnitzer required all suppliers, including peddlers, one time suppliers and vehicle suppliers of its Woodinville Facility, to sign a HMRCC.
87. At the time of the inspection, EPA inspectors observed refrigerators to be recycled at the Woodinville Facility from which refrigerant had not been recovered, but that had cut refrigeration lines.
88. At the Woodinville Facility, EPA inspectors observed at least one appliance from which the refrigerant had not been recovered.
89. At the Woodinville Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
90. By accepting the HMRCC as a signed statement or contract to verify recovery of refrigerant from suppliers at the Woodinville Facility for appliances from which refrigerant had not been recovered, Schnitzer accepts a signed statement or contract that it knows or has reason to know is false.
91. By failing to recover refrigerants from appliances during scrap recycling, Schnitzer violated 40 C.F.R. § 82.155(b)(1) at the Woodinville Facility.
92. By failing to recover refrigerant from appliances during scrap recycling, Schnitzer vented or otherwise released into the environment the refrigerant from such appliances, and violated 40 C.F.R § 82.154(a) at the Woodinville Facility.
93. By accepting a signed statement or contract that it knows or has reason to know is false, Schnitzer violated 40 C.F.R § 82.155(b)(2)(i) at the Woodinville Facility.
94. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Woodinville Facility.

Worcester Facility

95. At the time of the inspection, Schnitzer did not operate refrigerant recovery equipment to recover refrigerant from small appliances at its Worcester Facility.
96. At the time of the inspection, Schnitzer claimed to accept small appliances at its Worcester Facility only if the refrigerants are no longer in the units.
97. At the time of the inspection, Schnitzer claimed to accept and recover refrigerants from MVACs at the Worcester Facility.

98. At the time of the inspection, Schnitzer required all suppliers, including peddlers, one time suppliers and vehicle suppliers of its Worcester Facility, to sign a HMRCC.
99. At the time of the inspection, EPA inspectors observed refrigerators to be recycled at the Worcester Facility from which refrigerant had not been recovered, but that had cut refrigeration lines.
100. At the Worcester Facility, Schnitzer accepts the HMRCC as a signed statement to verify that refrigerants have been recovered, but this document does not contain the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered.
101. By accepting the HMRCC as a signed statement or contract to verify recovery of refrigerant from suppliers at the Worcester Facility for appliances and vehicles from which refrigerant had not been recovered and that had cut refrigeration lines clearly visible, or that still contain refrigerant, Schnitzer accepts a signed statement or contract that it knows or has reason to know is false.
102. By accepting a signed statement or contract that it knows or has reason to know is false, Schnitzer violated 40 C.F.R § 82.155(b)(2)(i) at the Worcester Facility.
103. By accepting a signed statement to verify that refrigerants have been recovered without the name and address of the person who recovered the refrigerant or the date the refrigerant was recovered, Schnitzer violated 40 C.F.R. § 82.155(b)(2) at the Worcester Facility.

ENVIRONMENTAL IMPACT OF VIOLATIONS

- 104. These violations caused emissions of ozone depleting substances, including chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs).
- 105. CFCs and HCFCs are known to contribute to the depletion of the stratospheric ozone layer, which protects life on Earth from the sun's harmful ultraviolet radiation (UV).
- 106. UV radiation has been associated with adverse health effects, including skin cancer, cataracts and immune suppression. UV radiation may also have adverse effects on plant life and aquatic ecosystems.

Date

1/25/18

Edward Nam

Director

Air and Radiation Division

CERTIFICATE OF MAILING

I certify that I sent a Finding of Violation, No. EPA-5-18-COE-01, by Certified Mail, Return Receipt Requested, to:

Tamara Lundgren
Schnitzer Steel Industries, Inc.
299 SW Clay Street
Portland, Oregon 97201

I also certify that I sent copies of the Finding of Violation by email to:

Laurel J. Carlson
Branch Chief, Bureau of Air and Waste
Massachusetts Department of Environmental Protection
Laurel.carlson@state.ma.us

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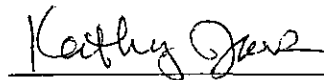
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